

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, FEBRUARY 4, 1991
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:00 p.m. without a quorum present. A quorum was present at 2:05 p.m. with Council Members Roberts, Hartley, Pratt, and McCarty not present. Under Special Order of Business, Council Member Pratt recognized and welcomed Lieutenant Commander General Alonzo Short, Jr., Commanding General of the United States Army. The meeting was recessed by Mayor O'Connor at 2:45 p.m. to meet in Closed Session in the twelfth floor conference room to discuss pending litigation.

The meeting was reconvened by Mayor O'Connor at 3:15 p.m. with Council Member McCarty not present. Mayor O'Connor adjourned the meeting at 4:35 p.m. to meet in Closed Session at 9:15 a.m. on February 5, 1991, in the twelfth floor conference room, to discuss litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member Hartley-present
 - (4) Council Member Pratt-present
 - (5) Council Member Bernhardt-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-excused by R-277406
(SANDAG NARC Conference in Washington, D.C.)
 - (8) Council Member Filner-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

ITEM-10: INVOCATION

Invocation was given by Monsignor Sean Murray of Saint Brigid's Catholic Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Bernhardt.

FILE LOCATION: MINUTES

ITEM-30: WELCOMED

Welcoming and presenting a gift to the Mayor of Leon, Mexico, Ing. Don Carlos Medina Plascencia, Presidente Municipal del Leon.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A083-123.)

ITEM-31: (R-91-1182) ADOPTED AS RESOLUTION R-277287

Proclaiming April 1991 to be "Youth Month" in San Diego, and commending the volunteers and organizations involved with this project for their important contribution to the enrichment of the lives of our youth in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A125-191.)

MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-32: DENIED HEARING

Matter of the request of Louis Castagnola, Jr., for a hearing of an appeal from the decision of the Planning Commission in denying Coastal Development Permit CDP-90-0061 to demolish an existing one-story single-family residence and to construct a two-story single-family residence of approximately 7,658 square feet with a four-car garage. The subject property is located at 620 San Gorgonio Street and is more particularly described as Lot 5 of Coronado Vista Map No. 2568A in Zone R1-10000 in the Peninsula Community Plan area.

(CDP-90-0061. District-2.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - CDP-90-0061

COUNCIL ACTION: (Tape location: A193-226.)

MOTION BY ROBERTS TO DENY THE HEARING. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-nay, Mayor O'Connor-ineligible.

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for the Regular Meeting of Monday, February 4, 1991**

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ITEM-50: (O-91-210 Rev. 2) RE-INTRODUCED AS AMENDED, TO
BE ADOPTED FEBRUARY 19, 1991

Introduction of an Ordinance amending Chapter X,
Article 1, Divisions 4 and 8, of the San Diego
Municipal Code by amending Sections 101.0410, and
101.0835, and by repealing Sections 101.0411, 101.0412,
and 101.0413, all relating to Multi-Family Design
Regulations.

(Introduced as amended on 1/22/91. Council voted 7-0.
Districts 4 and 8 not present.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B400-C450.)

Motion by Wolfsheimer to re-introduce the item accepting
staff's original recommendation as stated on the docket. No
Second.

Motion by Henderson to approve the language as recommended
by the task force and concurred after the negotiation by
staff. Failed. Yeas: 2,3,6,M. Nays: 1,4,5. Not
present: 7,8.

Motion by Pratt to continue consideration of the item.
Second by Henderson. Passed. Yeas: 2,3,4,5,6,M.
Nays: 1. Not Present: 7,8.

MOTION BY HENDERSON TO RE-INTRODUCE AS AMENDED, APPROVING
THE TASK FORCE'S RECOMMENDATION AS CONCURRED BY STAFF AND
ADDING LANGUAGE TO SECTION 101.0410 AS SUGGESTED BY COUNCIL
MEMBER WOLFSHEIMER AS FOLLOWS: "THE ORDINANCE IS INTENDED
TO BE APPLIED ON A CITYWIDE BASIS EXCEPT IN THE PLANNED
DISTRICT ORDINANCE (PDO) AREAS." Second by Roberts. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-not present, Mayor O'Connor-yea.

* ITEM-51: (O-91-50) ADOPTED AS ORDINANCE O-17596 (New
Series)

Amending Chapter X, Article 2, of the San Diego
Municipal Code by amending Sections 102.0303, 102.0403,
102.0405 and 102.0409, relating to Subdivisions, by
establishing a procedure for charging fees to monitor
long term environmental mitigation, amending the public

improvements portion of the right-of-way dedication requirements to add provision for public transport, and adding provisions to the bridge and thoroughfare fee requirements to add public transit facilities.

(Introduced on 1/22/91. Council voted 8-0. District 4 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A330-336.)

CONSENT MOTION BY BERNHARDT TO DISPENSE WITH THE READING AND ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-52: (O-91-112) ADOPTED AS ORDINANCE O-17597 (New Series)

Setting aside and dedicating a portion of Pueblo Lot 211 of the Pueblo Lands of San Diego, and Parcel 3 of Parcel Map PM-12389, commonly known as "Famosa Slough," and located at the southeast corner of Famosa Boulevard and West Point Loma Boulevard, for a public park.

(Peninsula Community Area. District-2. Introduced on 1/22/91. Council voted 8-0. District 4 not present.)

FILE LOCATION: DEED F-5507 DEED FY91-1

COUNCIL ACTION: (Tape location: A330-336.)

CONSENT MOTION BY BERNHARDT TO DISPENSE WITH THE READING AND ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-91-745) ADOPTED AS RESOLUTION R-277288

Accepting the bid of \$29,870, which is 49.9 percent over the City's estimate of \$20,000, and awarding a

contract to Caves Construction, for the Removal of Architectural Barriers for the Handicapped, Contract No. 28;

Authorizing the expenditure of not to exceed \$11,400 from CDBG Fund No. 18525, Dept. 5887, Org. 8701, CIP-52-243, Architectural Barrier Removal-Downtown and Various Locations Citywide, to supplement funds in the amount of \$58,500, previously authorized by Resolution R-274236, adopted on March 12, 1990, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any to the appropriate reserves. (BID-K1269/90A)

(Greater North Park, Mid-City, Uptown, Southeast San Diego, Mission Valley, Midway Community Areas. Districts 2, 3, 4, 7, and 8.)

CITY MANAGER SUPPORTING INFORMATION: The readvertising of Contract 28 yielded two bids received after thirteen bid packages were issued. The bids were opened on August 24, 1990, with the low bid of \$29,870 received from Caves Construction. Caves' bid is 49.4 percent over the City's estimate of \$20,000. Analysis of bids for pedestrian ramp contracts this year shows bids are significantly higher than their historical price. This project was previously readvertised and staff believes readvertising again will not produce lower bids and recommends this contract be awarded to Caves Construction.

Aud. Cert. 9100456.

FILE LOCATION: CONT - Caves Construction CONT FY91-1

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-91-1064) ADOPTED AS RESOLUTION R-277315

Awarding contracts for miscellaneous Police Department support vehicles, for a total cost of \$145,649.35, including tax, less trade-in allowances, as follows:
(BID-C1922/91)

1. City Chevrolet for Item 1 - one store front vehicle (Chevrolet Cavalier VL Wagon), Item 2 - three Community Service Officer vans (Chevrolet ½ ton cargo van), and Item 4 - two auto maintenance shop trucks (Chevrolet ½ ton pick-up):

Trade-In Equipment for Items 1, 2 and 4

	Unit Allowance	Extension
1 ea. 1985 Plymouth Reliant Wagon		\$ 700
2 ea. 1985 Ford E150 Van	\$1,500	\$3,000
1 ea. 1986 Ford E150 Van		\$1,800
1 ea. 1983 Dodge Pickup		\$1,200
1 ea. 1984 Ford Pickup		\$1,800
Total Trade-In Allowances:		\$8,500

2. Homer Heller Ford for Item 3 - one prisoner van (Ford E250 Super van):

Trade-In Equipment for Item 3

1 ea. 1985 Ford E250 Van		\$1,800
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3. Fuller Ford for Item 5 - one off-road enforcement vehicle (Ford Bronco Custom), Item 6 - four utility vehicles (Ford Ranger - Custom), and Item 7 - one lab van (Ford Cargo van, 138" wheel base):

Trade-In Equipment for Items 5, 6 and 7

	Unit Allowance	Extension
1 ea. 1988 Chevrolet Blazer		\$6,000
1 ea. 1985 Ford Ranger		\$1,000
1 ea. 1987 Ford Ranger		\$2,700
2 ea. 1986 Nissan Pickup	\$1,500	\$3,000
1 ea. 1987 Ford E150 Van		\$4,000

Total Trade-In Allowance:

\$16,700

Authorizing the expenditure of an amount not to exceed \$145,649.35 from Fund No. 100, Department No. 110, Organization No. 485, 200, 305, 386, 312 and 380, Object Account No. 6013, and Job Order No. 111482, 111475, 111290, 111475, 111523, 111209, 111290 and 111265, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Aud. Cert. 9100525.

FILE LOCATION: CONT - PURCHASE - City Chevrolet, Homer
 Heller Ford, Fuller Ford CONT FY91-3

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-91-1065) ADOPTED AS RESOLUTION R-277316

Awarding a contract to All American Chevrolet for the purchase of 42 Police sedans (pastels) (1990 Chevrolet Corsicas) for a total cost of \$313,384.98, including tax and trade-in allowance, as follows: (BID-C1914/91) (Five bids received. Requested by the Police Department.)

Trade-In Equipment

Qty.	Unit	Descrip.	Unit Allowance	Extension
2	each	1984 Ford LTD 4-Door Sedan, V/6	\$1,605	\$ 3,210
6	each	1985 Ford LTD 4-Door Sedan, V/6	\$2,105	\$12,630
4	each	1985 Ford Tempo 4-Door Sedan 4 Cylinder	\$1,507.50	\$ 6,030

3	each	1986 Chevrolet Celebrity 2-Door, V/6	\$2,550	\$ 7,650
2	each	1986 Ford Tempo 4-Door Sedan 4 Cylinder	\$1,737.50	\$ 3,475
13	each	1986 Ford Crown Victoria 4-Door Sedan, V/8 (302) 9 at 4 at	\$2,700 \$3,725	\$39,200
11	each	1987 Ford Crown Victoria 4-Door Sedan, V/8 (302)	\$3,900	\$42,900
TOTAL TRADE-IN ALLOWANCE:				\$115,095

Authorizing an expenditure of not to exceed \$313,384.98, from Department No. 110, Fund No. 100, Organization Nos. 305, 431, 436, 441, 451, 456, 494 and 496, Object Account No. 6010, and Job Order Nos. 111290, 111490, 111456 and 111470, for providing funds for the project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Aud. Cert. 9100524.

FILE LOCATION: CONT - PURCHASE - All American Chevrolet
CONT FY91-1

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-91-1072) ADOPTED AS RESOLUTION R-277317

Awarding contracts for the purchase of paints and
coatings, as may be required for a period of one year

beginning March 1, 1991 through February 29, 1992, for an estimated cost of \$46,259, including tax and terms, as follows:

- 1) Frazee Industries, Inc. for Items 1, 4, 9, and 10, with option period increases not to exceed 7 percent of prices in effect in each prior period, with options to renew the contract for four additional one year periods;
- 2) Dunn-Edwards Corporation for Items 2, 3, 5, 6, 7, and 8, with option period increases not to exceed 10 percent of prices in effect in each prior period. (BID-P1895/91)

FILE LOCATION: CONT - PURCHASE - Frazee Industries, Inc. and
Dunn-Edwards Corporation CONT FY91-2

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-91-760) ADOPTED AS RESOLUTION R-277318

Awarding non-exclusive requirements contracts to Dunn-Edwards Corporation, Sinclair Paint Company and Vista Paint Corporation, for providing will-call service and on-call delivery service for the purchase of paint, coatings and painting supplies, as may be required for a period of one year beginning December 1, 1990 through November 30, 1991, with options to renew the contract for four additional one-year periods, for an estimated cost of \$80,000, including tax and terms. (BID-P1919/91)

FILE LOCATION: CONT - PURCHASE - Dunn-Edwards Corporation,
Sinclair Paint Company, and Vista Paint
Corporation CONT FY91-3

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-91-1071) ADOPTED AS RESOLUTION R-277319

Awarding a contract to Photo Club Inc. for the purchase of photographic film, as may be required for a period of one year beginning March 1, 1991 through February 29, 1992, for an estimated cost of \$712,204, including tax and terms, with options to renew the contract for four additional one year periods, with option period price increases not to exceed the prices in effect for the previous contract period by more than 10 percent.
(BID-P1941/91)

FILE LOCATION: CONT - PURCHASE - Photo Club Inc. CONT
FY91-1

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-106: (R-91-1076) CONTINUED TO FEBRUARY 11, 1991

Awarding a contract to Roadmaker Co. for the purchase of stackable traffic cones, as may be required for a period of one year beginning December 1, 1990 through November 30, 1991, for an estimated cost of \$60,998.44, including tax, with an option to renew the contract for four additional one year periods, with increases not to exceed 10 percent of prices in effect at the end of each prior year.

(BID-H1894/91)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A534-608.)

MOTION BY WOLFSHEIMER TO CONTINUE ONE WEEK AND DIRECT THE CITY MANAGER TO LOOK INTO THE CONCERNS ADDRESSED REGARDING THE SAFETY FACTOR OF THE CONES DUE TO WEIGHT AND ALSO THE POSSIBILITY OF AWARDED THE CONTRACT TO A LOCAL FIRM.
Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,

Bernhardt-yea, Henderson-yea, McCarty-not present,
Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-91-1067) ADOPTED AS RESOLUTION R-277289

Awarding contracts to Butler Paper Company, La Salle Paper Company, Nationwide Papers, Unisource Corporation, Noland Paper, Kirk Paper Company, and Pen Paper, Inc. for the purchase of paper and related supplies, as may be required for a period of six months beginning November 1, 1990 through April 30, 1991, for an estimated cost, for the primary contracts only, of \$50,447, with options to renew the contracts for five additional six month periods, with option period increases not to exceed five to eight percent of the prices in effect in each prior period.

(BID-P1772/91)

FILE LOCATION: CONT - PURCHASE - Butler Paper Company, La Salle Paper Company, Nationwide Papers, Unisource Corporation, Noland Paper, Kirk Paper Company, and Pen Paper, Inc. CONT
FY91-7

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-91-1082) ADOPTED AS RESOLUTION R-277290

Awarding a contract to West Coast Property Care and Construction for furnishing all labor, supplies, and equipment necessary for clearing of rubbish and debris, securing of structures and installation of chain link fence, as may be required for a period of one year beginning March 1, 1991 through February 29, 1992, for an estimated cost of \$54,000, including terms, with options to renew the contract for four additional one year periods, with price increases not to exceed 5 percent of prices in effect at the end of the prior contract period.

(BID-F2008/91)

FILE LOCATION: CONT - PURCHASE - West Coast Property Care
and Construction CONT FY91-1

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-91-1156) ADOPTED AS RESOLUTION R-277291

Vacating the City's interest in an unneeded sewer,
water, drainage and public utility easement affecting
Lot 1 of Fries Tract, Map-3920, pursuant to Section
8300 et seq. of the Streets and Highways Code.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: An application from the
affected property owner has been received by the Engineering &
Development Department for abandonment of a portion of the sewer,
water, drainage and public utility easement in Lot 1 of Fries
Tract in the Kearny Mesa area. This easement was acquired by Map
in 1958, at no cost to the City, and has never been used. The
subject easement was reviewed by all affected City Departments
and all have concluded there is no present or prospective public
need for the easement. Also, per Council Policy 600-15, the
abandonment has been approved by the Kearny Mesa Planning Group;
therefore Abandonment by Resolution is recommended.

WU-PR-91-095.

FILE LOCATION: DEED F-5508 DEED FY91-1

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-91-1253) ADOPTED AS RESOLUTION R-277292

Requesting appropriate executive and legislative branch authorities to provide sufficient resources to the U.S. Customs Service and the Immigration and Naturalization Service to enable full utilization of the San Ysidro Port of Entry, and extended hours of operation at the Otay Mesa Port of Entry; requesting that these authorities continue work on the identification of a third border crossing site in the San Diego/Tijuana region; pledging the City's willingness to cooperate with federal authorities to achieve these objectives related to the border congestion problem.

(See report from Binational Affairs dated 1/2/91. San Ysidro and Otay Mesa Community Areas. District-8.)

COMMITTEE ACTION: Initiated by RULES on 1/23/91.
Recommendation to approve the draft resolution recommended by the Mayor's Office of Binational Affairs. Districts 1, 5, 7 and Mayor voted yea. Districts 4 and 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-91-1102) ADOPTED AS RESOLUTION R-277293

Approving the City Manager's Fiscal Year 1990 Annual Equal Opportunity Report on the status of the City's Equal Opportunity Program.

(See City Manager Report CMR-91-17.)

COMMITTEE ACTION: Reviewed by RULES on 1/23/91.
Recommendation to accept the report. Districts 1, 5, 7 and Mayor voted yea. Districts 4 and 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-91-1101) ADOPTED AS RESOLUTION R-277294

Approving the City Manager's Third Quarter Equal
Opportunity Report for Fiscal Year 1990 on the status
of the City's Equal Opportunity Program.

(See City Manager Report CMR-91-18.)

COMMITTEE ACTION: Reviewed by RULES on 1/23/91.
Recommendation to accept the report. Districts 1, 5, 7 and
Mayor voted yea. Districts 4 and 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-91-1059) ADOPTED AS RESOLUTION R-277295

Approving the City Manager's Fiscal Year 1990 Annual
Equal Opportunity Report on the status of the City's
Independent Corporations.

(See City Manager Report CMR-91-19.)

COMMITTEE ACTION: Reviewed by RULES on 1/23/91. Recommendation
to accept the report. Districts 1, 5, 7 and Mayor voted yea.
Districts 4 and 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-91-1222) ADOPTED AS RESOLUTION R-277296

Recognizing and commending Mrs. Muriel Gluck for her unending love for the City of San Diego and her instrumental role in making a dream known as "Young at Art" a reality for the children of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-91-1195) ADOPTED AS RESOLUTION R-277297

Excusing Councilmember Abbe Wolfsheimer from attending the Special evening Council meeting of January 8, 1991, due to out of town business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-116: (R-91-1060) ADOPTED AS RESOLUTION R-277298

Declaring that the City supports a retrocession of legislative jurisdiction by the United States Navy to the State of California, pursuant to Section 77.5 of the California Streets and Highways Code, over those portions of property upon which easements or rights-of-way currently exist for Cabrillo Memorial Drive southerly to the intersection with Cabrillo Road, Cabrillo Road southerly to the intersection with

Gatchell Road, and Gatchell Road northerly to the Point Loma Sewage Treatment Plant, enabling enforcement activity by state and local law enforcement agencies upon those streets and highways;

Authorizing the City Manager to make a written request of the United States Navy to initiate the retrocession process in accordance with the provisions of Section 77.5 of the California Streets and Highways Code.

(Point Loma Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The U.S. Navy and the City of San Diego have been negotiating for several months on the expansion of the Point Loma Wastewater Treatment Plant. This is an integral part of the Clean Water Program and is one of many projects that will require City access to Navy properties in order to construct Clean Water Program treatment plants and transmission pipelines. As a part of these negotiations, the Navy requests that the City accept legislative jurisdiction on Cabrillo Memorial Drive, Cabrillo Road and Gatchell Road. These are federally-owned roads that will be heavily impacted by construction associated with the Point Loma Wastewater Treatment Plant expansion. Once retroceded, local law enforcement activities including traffic enforcement, accident investigation/emergency response, and criminal investigations would be possible. California Streets and Highways Code Section 77.5 authorizes the Governor to accept retrocession of jurisdiction in cases of Federal lands over which an easement has already been granted to the State for a highway right-of-way. Approval of this resolution will expedite the State's acceptance of jurisdiction of the Navy-owned portion of the roads. Once acceptance of jurisdiction is approved by the State, a Memorandum of Understanding (MOU) will be developed by the City and Navy regarding this issue and other easements and land transfer issues associated with the Clean Water program. The MOU will detail the specific responsibilities and considerations of each party at each site affected by construction activities. Council approval will be requested when the MOU is definitized. At this time, the City Manager requests approval by Council to forward the approved legislative resolution to the Navy, and request that they initiate the retrocession process as outlined in the Streets and Highways Code.

WU-CWP-91-098.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-117:

Four actions relative to the 1991 Fuel Efficient
Traffic Signal Management Grant Program:

(Centre City, College Area, Greater North Park,
Mid-City, and Uptown Community Areas. Districts-2, 3,
7 and 8.)

Subitem-A: (R-91-1161) ADOPTED AS RESOLUTION R-277299

Authorizing the acceptance by the City Manager of a
Fuel Efficient Traffic Signal Management grant from the
California Department of Transportation in the amount
of \$177,172 for a traffic signal optimization project.

Subitem-B: (R-91-1162) ADOPTED AS RESOLUTION R-277300

Authorizing the execution of an agreement with the
California Department of Transportation stating that
the City will retime 160 signals in the downtown
network and 59 signals along the Washington Street/El
Cajon Boulevard Corridor in accordance with the Fuel
Efficient Traffic Signal Management guidelines;
authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$177,172 from Capital
Outlay Grant Fund 38500 to CIP-63-010.0, Signal Timing
Optimization Program, Phase Seven; authorizing the
expenditure of an amount not to exceed \$177,172 from
CIP-63-010.0, for the purpose of providing funds for
the above project.

Subitem-C: (R-91-1163) ADOPTED AS RESOLUTION R-277301

Modifying the Fiscal Year 1991, Capital Improvements
Program, Annual Appropriations Budget, Ordinance No.
O-17504, by adding CIP-63-010.0, Signal Timing
Optimization Program Phase Seven.

Subitem-D: (R-91-1164) ADOPTED AS RESOLUTION R-277302

Establishing Capital Outlay Grant Fund No. 38500, "1991
Traffic Signal Optimization."

CITY MANAGER SUPPORTING INFORMATION: The City has been awarded a \$177,172 grant from the Department of Transportation of the State of California to optimize the timing at 160 traffic signals in the downtown network and 59 traffic signals along the Washington Street/El Cajon Blvd. corridor. This signal optimization project is part of the Transportation Systems Management component of the City's Mobility Program, which was created by Council action in September, 1989. These funds have been awarded through the FETSIM (Fuel Efficient Traffic Signal Mgmt.) Grant Program which provides financial and technical assistance to local governments to reduce fuel consumption through traffic signal optimization. Studies have demonstrated that an annual fuel savings of 4,000 to 6,000 gallons per intersection can be achieved. Other benefits from signal optimization include reduced stops, delays and exhaust emissions.

Aud. Cert. 9100518.

FILE LOCATION: MEET CONT FY91-1

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-118: (R-91-935) ADOPTED AS RESOLUTION R-277303

Authorizing the execution of an agreement with the County of San Diego to operate the California Identification System Remote Access Network (Cal-ID/Ran) for a term of five years from July 1, 1990, to June 30, 1995, subject to annual appropriation of funds by the San Diego City Council.

CITY MANAGER SUPPORTING INFORMATION: The California Identification System (Cal-ID) Remote Access Network was implemented as a joint City-County effort in 1987. The automated fingerprint system positively identifies arrestees at the time of booking and identifies suspects from fingerprints left at the scene of a crime. The original City-County agreement signed on November 9, 1987 has expired and a new agreement is needed. The new agreement has only minor changes that reflect a difference in dividing costs among participating agencies. The new formula is

based on a combination of crime rate and population. The total annual operating budget is \$949,000. Fines and forfeitures provide most of the funding, while the balance is allocated to individual agencies. The City's share, which is budgeted, is \$103,500.

Aud. Cert. 9100360.

FILE LOCATION: MEET CONT FY91-1

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-119: (R-91-1199) ADOPTED AS RESOLUTION R-277304

Authorizing the execution of an amendment to the agreement of December 7, 1987 with Pountney & Associates, Inc. for engineering consultant services in connection with the Home Avenue Trunk Sewer Project, together with any further amendments or modifications which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of the project and agreement; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$20,000 within Sewer Revenue Fund 41506, from Sewer Annual Allocation - Freeway Relocation, CIP-43-004.0, to Home Avenue Trunk Sewer Project, CIP-46-139.0; authorizing the expenditure of an amount not to exceed \$47,115, consisting of \$20,000 from Sewer Revenue Fund 41506, Home Avenue Trunk Sewer Project, CIP-46-139.0, and \$27,115 from Water Revenue Fund 41502, Water Annual Allocation - Freeway Relocation, CIP-73-024.0, for the purpose of providing funds for the above amendment; authorizing the expenditure of an amount not to exceed \$200,000 from Sewer Revenue Fund 41506, Home Avenue Trunk Sewer Project, CIP-46-139.0, for the acquisition of property rights and related costs;

Authorizing the City Manager to finance or refinance the project with tax exempt securities, if circumstances so warrant.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: On December 7, 1987, the City of San Diego and Pountney & Associates, Inc. entered into an engineering agreement to design the Home Avenue Trunk Sewer. Plans and specifications have been prepared which requires the City Property Department to expend the sum of \$200,000 for the acquisition of property rights and related costs for the new alignment. Amendment No. 1 is for the continuation of the Home Avenue Trunk Sewer mandated by the Caltrans I-15 Freeway Expansion project. Amendment No. 1 scope of work will comprise the preparation of plans, specifications, and estimates for the design of Home Avenue Trunk Sewer Extension (I-15 crossing) from the terminus of the original contact (Manhole No. 2) westerly across I-15 to E Street, southerly across SDG&E property into Caltrans right-of-way to Market Street, design the upsizing of existing 30-inch and 10-inch water mains to new 36-inch and 12-inch water mains respectively, design the abandonment of the existing 8-inch VC sewer generally west of 36th Street, connecting I-15, and rerouting those flows into a new main down Market Street. Pountney & Associates' responsibilities shall include final design and documents, plans and specifications, construction assistance and additional services. Aerial topography, and Caltrans right-of-way, geotechnical borings, groundwater discharge permit, right-of-way acquisition, environmental processing studies and hazardous waste processing/permitting shall be provided by Caltrans and are not part of Pountney & Associates responsibilities.

Aud. Cert. 9100541.

WU-U-91-099.

FILE LOCATION: MEET CCONT FY91-1

COUNCIL ACTION: (Tape location: A450-529.)

MOTION BY HARTLEY TO ADOPT AND DIRECT THE CITY MANAGER TO MEET WITH ANNE HEINKEL TO RESOLVE CONCERNS RAISED DURING THE COUNCIL MEETING. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-120: (R-91-1178) ADOPTED AS RESOLUTION R-277305

Authorizing the execution of a third amendment to the agreement with Tetra Tech, Inc., to provide professional services in connection with the City's Underground Storage Tank Management Program;

authorizing the expenditure of an amount not to exceed \$1,548,384 (\$344,356 for professional services and \$1,204,028 for construction, administration and related projects costs) from CIP-33-084.0, Underground Hazardous Materials Storage Tanks, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: Tetra Tech, Inc. was selected as the City's Underground Storage Tank Management Program Consultant in accordance with Council Policy 300-7 and A.R. 25.70. Pursuant to the original agreement (Document No. RR-269298) filed September 21, 1987, Tetra Tech provided professional services to develop the City's Tank Management Plan. Pursuant to the first and second amendment, Tetra Tech provided professional services to implement the Tank Management Plan in accordance with the FY 89 and FY 90 work plans. This proposed third amendment to the agreement with Tetra Tech, Inc. will provide professional services to implement the FY 91 work plan. Services shall include, but not be limited to, precision tank testing, regulatory agency interface, site investigations of unauthorized releases, remediation systems, implementation of cleanups, soils and groundwater testing, and overseeing of remediation activities by contractors. Tetra Tech's in-depth knowledge and understanding of the City's activities and their rapport with the local regulators allow them to deal expediently and correctly with this work. It is for this reason that continuity of personnel is critical to the continual success of the program. Also, Tetra Tech's performance on this contract has been exemplary administratively as well as technically. Adopting this amendment to the agreement will allow the City to continue to meet all regulatory and statutory requirements and deadlines. This work is mandated by Federal and State law. One such deadline states that by December 22, 1993 all systems must be upgraded or replaced to comply with Federal deadlines established by EPA under the Resource Conservation and Recovery Act. MBE and WBE participation on this contract is expected to be 25-30 percent for FY 91.

Aud. Cert. 9100533.

FILE LOCATION: MEET CCONT FY91-1

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-121: (R-91-1141) ADOPTED AS RESOLUTION R-277306

Authorizing the execution of a five-year lease agreement with a 90-day cancellation clause exercisable by either party, with United Nations Association of San Diego, for the use of Building No. 644, Balboa Park, at an initial rent of \$196 per month.

(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Through various leases, the United Nations Association of San Diego has occupied its existing quarters in Balboa Park since July 1, 1960. The premises are used for offices, committee meetings, displays, public gatherings, civic activities, gift shop and incidental uses. The funds are used to foster better international understanding and relationships. The former lease expired on September 30, 1990 and is presently on a month-to-month holdover. Ordinary maintenance is the responsibility of the lessee. The rent of \$196 per month is based on reimbursement of the costs to the City for major maintenance and repairs to the building. Maintenance costs are reviewed yearly and rent is adjusted accordingly. The proposed term for the new lease with the Association is for five years including a 90-day cancellation clause exercisable by either party.

FILE LOCATION: LEAS - United Nations Association of
San Diego LEAS FY91-1

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-150: CONTINUED TO FEBRUARY 11, 1991

Two actions relative to the Water Reclamation and Reuse
Conceptual Master Plan:

(See City Manager Reports CMR-90-506 and CMR-89-383.)

Subitem-A: (R-91-696)

Accepting the Water Reclamation and Reuse Conceptual
Master Plan, as set forth in City Manager Report
CMR-89-383.

Subitem-B: (R-91-697)

Certifying that the information contained in Environmental Impact Report DEP-89-1219, in connection with the City's Water Reclamation and Reuse Conceptual Master Plan, has been completed in compliance with the California Environmental Quality Act 1970, as amended, and State guidelines, and that said report, with Statements of Findings and Overriding Considerations, have been reviewed and considered by the Council.

COMMITTEE ACTION: Reviewed by PSS on 12/6/91. Recommendation to approve the City Manager's recommendations. The Committee requested responses to questions and issues presented by Citizens Coordinate for Century 3 at the time of docketing. In addition, the Committee requested a report on reservoir expansion and live stream discharges studies. Districts 3, 4 and 5 voted yea. District 7 voted nay. District 2 not present.

CITY MANAGER SUPPORTING INFORMATION: The Water Reclamation and Reuse Conceptual Master Plan has been prepared as a preliminary step in fulfilling Council Policy 400-12, "Implementation of Water Reclamation/Reuse," and Ordinance O-17327 which relates to the establishment of a Water Reclamation Master Plan and Implement Procedures for the City of San Diego. The Ordinance requires development of a facilities master plan. It also requires installation of reclaimed water distribution systems within new development, which, when utilized would have a long term environmental effect. The Ordinance prohibits the use of potable water supplies for irrigating greenbelt areas, when reclaimed water is available. It also provides for implementation programs including establishing rules and regulations, public awareness, and financing. The Master Plan and Ordinance both discuss Regulations of Waste Discharges to Sewage Systems.

Statements of Findings and Overriding Considerations are attached to the Environmental Impact Report (DEP File No. 89-1219) covering the Water Reclamation and Reuse Conceptual Master Plan. More specific Facilities Master Plans will be prepared with additional environmental review. There is no fiscal impact directly connected with this action.

WU-91-053.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B050-393.)

MOTION BY HENDERSON TO CONTINUE FOR ONE WEEK FOR FURTHER REVIEW BY THE CITY ATTORNEY TO SEEK GUIDANCE FROM THE COURT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-200: CONTINUED TO JULY 22, 1991

(Continued from the meeting of December 10, 1990, Item S426, at Councilmember Wolfsheimer's request, to ask staff to work with the Navy to evaluate the feasibility of the Navy site and to determine what is necessary to get Naval approval and synchronize the FIFRP with the Clean Water Program.)

Two actions relative to the Fiesta Island Facilities Replacement Project - Sludge Management Master Plan Report Supplement:

(See City Manager Report CMR-90-510. Peninsula, Ocean Beach, Mission Bay, Mission Valley, Linda Vista, Clairemont Mesa and University Community Areas. Districts-2, 5 and 6.)

Subitem-A: (R-91-913)

Authorizing the acceptance of the findings and recommendations contained in the San Diego Sludge Management Master Plan Report Supplement as prepared by the City's consultant, Metcalf & Eddy.

Subitem-B: (R-91-914)

Certifying that the information contained in Environmental Impact Report DEP-90-0393 and a Mitigation Monitoring and Reporting Program, has been completed in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended, and State guidelines, and that the information, along with Findings and Statement of Overriding Considerations, has been reviewed and considered by the Council.

WU-CWP-91-075.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B050-393.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JULY 22, 1991, AS REQUESTED BY THE CITY MANAGER. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-91-1225) ADOPTED AS RESOLUTION R-277307

Council confirmation of the appointment by the Mayor of Janice P. Brown to serve as the designated alternate to the Board of Zoning Appeals, for a term ending March 1, 1992, to replace Gordon R. Carrier, who was appointed as a regular member.

(See memorandum from Mayor O'Connor dated 1/25/91 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-372.)

MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-91-1226) ADOPTED AS RESOLUTION R-277308

Confirming the reappointment of Lynn Schenk to serve as a member of the San Diego Unified Port District Board of Commissioners for a four-year term expiring January 2, 1995.

(See memorandum from Mayor O'Connor dated 1/25/91.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A376-438.)

MOTION BY BERNHARDT TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-91-1220) ADOPTED AS RESOLUTION R-277309

Authorizing the City Manager to forward to the California State Legislature a legislative document providing for the formation of a special act district to manage the San Diego Metropolitan Sewerage System.

CITY MANAGER SUPPORTING INFORMATION: This item was before the City Council of the City of San Diego on Monday, January 14, 1991. At that time the City Council approved sending the draft document for a special act district through the City's legislative liaison to the State Legislature pending changes and further review by the City Council. Those changes have been made, and are specifically listed here.

- Section 69: MBE/WBE goals and requirements per Councilmember Pratt

The Governance Advisory Group at their January 18, 1991 meeting reviewed the draft, made the changes specifically listed here, and unanimously endorsed the draft document.

- add the City of Lemon Grove to the District
- Section 51b: rights and obligations under existing contractual agreements between the City of San Diego and participating member agencies
- Section 113: conditions of withdrawal from the district. At this time the Advisory Group requests the City Council of the City of San Diego to authorize the City Manager to coordinate with the City's legislative liaison to the State Legislature, and through that liaison initiate the introduction of a legislative bill which will form a special act district that will have responsibility for area wastewater management.

WU-CWP-91-126.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A050-393.)

MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-nay, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-91-1103 Rev.1) ADOPTED AS RESOLUTION R-277310

Authorizing the City Manager to file a final application with the State of California, Department of Commerce, for designation of portions of the City of San Diego (including San Ysidro and parts of Otay Mesa and Otay-Nestor community areas) as an Enterprise Zone; declaring that the final application shall incorporate provisions for development incentives and local administration as authorized for the preliminary application in Resolution No. R-276382;

Authorizing the expenditure of an amount not to exceed \$40,000 from Dept. 5896, Org. 9606, for the preparation of the application for an Enterprise Zone.

(San Ysidro, Otay Mesa, and Otay-Nestor Community Areas. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On August 7, 1990, the City Council authorized the City Manager to submit a preliminary application to the State of California for a second enterprise zone to be designated in the San Ysidro and Otay Mesa areas (Resolution R-276382). An enterprise zone is a geographic area designated by the State in which businesses may claim certain tax savings. The most valuable savings is a tax credit on wages to new, previously unemployed, low-income employees. The State designation is a competitive process requiring the applicant jurisdiction to offer local administration and its own incentive package. San Diego was one of 20 jurisdictions which, based on preliminary applications, were selected to compete for eight zone designations. Authority is hereby requested to submit a final application with local administration and incentives to correspond with those authorized for the preliminary application. In addition, authority is requested to adjust the boundaries of the proposed zone to pick up additional areas zoned for industrial purposes.

Aud. Cert. 9100530.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-372.)

MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-91-1215) CONTINUED TO MARCH 25, 1991

Certifying that the information contained in the Joint Environmental Impact Report and Environmental Impact Statement (EIR/EIS), DEP-89-0744, in connection with the Secondary Sewage Treatment System and Associated Sludge Management Facilities as recommended by the City Manager, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council; accepting the findings and recommendations and adopting the Findings and Statement of Overriding Consideration, contained within Environmental Impact Report DEP-89-0744, pursuant to California Public Resources Code Section 21081.

(See City Manager Report CMR-91-47. Barrio Logan/Harbor 101, Centre City, Clairemont Mesa, Pacific Highway, Mission Valley, Otay Mesa/Nestor, Otay Mesa, Peninsula, San Ysidro, Tijuana River Valley, and University Community Areas. Districts-2, 6 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The Secondary Treatment System and Associated Sludge Management Facilities proposed for the San Diego area under the Clean Water Program involve the upgrade of the existing Point Loma Wastewater Treatment Plant to provide 112 million gallons a day (mgd) of secondary treatment capacity by 2003 and 150 mgd by 2023; the location of a new secondary treatment plant in the South Bay area with a capacity of 41 mgd by 1998 and 55 mgd by 2018, for a total secondary treatment capacity of 205 mgd; and the construction of sludge management facilities for the entire sewerage system. Project components would include secondary wastewater treatment, a new outfall, pump stations, wastewater and sludge pipelines and sludge management facilities. The Project Report and its accompanying Joint Environment Impact and Environmental Impact Statement (EIR/EIS) analyze two sites in the Point Loma area: north of the existing Point Loma site and the Midway Drive site; and two sites in the South Bay: the Dairy Mart Road and the Tijuana Street sites, for the secondary treatment system. The EIR/EIS analyzes four sites for the sludge management facilities: a North City site, a site adjacent to the proposed South Bay Treatment Plant, a site at NAS Miramar North, and a site in Southeast Otay Mesa. Clean Water Program studies indicate that the overall superior sites are Point Loma North (150 mgd) and Dairy Mart Road (55 mgd) for secondary treatment; and Eastgate Mall, NAS Miramar North, Dairy Mart Road Treatment Plant site, and Southeast Otay Mesa for sludge facilities; taking into account engineering, cost and environmental considerations. Studies performed for the EIR/EIS, taking into account only

environmental factors, found that the environmentally superior sites are Point Loma/Midway Drive (100 mgd) and Brown Field in the South Bay (105 mgd) for the secondary treatment system; and Eastgate Technology Park and Brown Field for sludge facilities. Findings and Statement of Overriding Considerations have been prepared which support Council approval of the Manager's recommendations.

WU-CWP-91-110.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B050-393.)

MOTION BY BERNHARDT TO CONTINUE TO MARCH 25, 1991, AS REQUESTED BY THE CITY MANAGER. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-91-1213) CONTINUED TO FEBRUARY 11, 1991

Certifying that the information contained in Environmental Impact Report DEP-89-1397, in connection with the Mission Valley Reclamation Project as described in the Clean Water Program Project Report for Modification to the Metropolitan Sewerage System, Volume VI, Mission Valley Water Reclamation System dated May 1990, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council; accepting the findings and recommendations and adopting the Findings and Statement of Overriding Considerations.

(See City Manager Report CMR-91-47. Mission Bay Park, Midway, Linda Vista, Mission Valley, Uptown, Greater North Park, Mid-City, Golden Hills, Serra Mesa, Navajo, Tierrasanta, Clairemont Mesa, University, NAS Miramar Master Plan, Mira Mesa, and Balboa Park Community Areas. Districts-5 and 7.)

CITY MANAGER SUPPORTING INFORMATION: The Mission Valley Water Reclamation project is one of six proposed water reclamation projects that are part of the Clean Water Program. The proposed project will provide two 15 mgd plants: one at the Del Rio North site and the other at Admiral Baker Field. The construction of each of the plants would be in two phases: 7.5 mgd under the

first phase by the year 1998 which then would be expanded under a second phase to 15 mgd by the year 2010. Project components would include advanced wastewater treatment, pump stations, reclaimed water pipelines, storage basins and sludge pipelines. The Project Report and its accompanying Environmental Impact Report (EIR) analyze four alternative sites: Del Rio North, Admiral Baker Field and Mission Gorge No.1 and No.2. Studies performed for the Project Report found that the overall superior sites are two 15 mgd plants, one at Del Rio North and one at Admiral Baker Field, taking into account engineering, cost and environmental considerations. Studies performed for the EIR alone found that the environmentally superior site is one single 30 mgd plant at the Del Rio North site. The Findings and Statement of Overriding Considerations concur with the Project Report that two 15 mgd plants, one at Del Rio North and one at Admiral Baker, are the overall superior project sites.

WU-CWP-91-108.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B050-393.)

MOTION BY HENDERSON TO CONTINUE ONE WEEK FOR FURTHER REVIEW BY THE CITY ATTORNEY TO SEEK GUIDANCE FROM THE COURT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (R-91-1214) CONTINUED TO FEBRUARY 11, 1991

Certifying the information contained in Environmental Impact Report DEP-90-0212, in connection with the North City Reclamation Project, as described in the Clean Water Program Project Report for Modifications to the Metropolitan Sewerage System, Volume IV, North City Water Reclamation System, dated May 1990, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council; accepting the findings and recommendations and adopting the Findings and Statement of Overriding Consideration.

(See City Manager Report CMR-91-47. University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The North City Water Reclamation Project is one of six water reclamation projects proposed for the San Diego area under the Clean Water Program. The proposed project will provide 30 million gallons per day (mgd) of reclaimed water by the year 1996, and up to 45 mgd by the year 2017. Project components would include advanced wastewater treatment, sludge processing facilities, pump stations, reclaimed water pipelines, storage facilities and sludge pipelines. The Project Report and its accompanying Environmental Impact Report (EIR) analyze three alternative sites in the North City area: The Carroll Canyon, Eastgate Technology Park and Eastgate Mall sites. Studies performed for the Project Report found that the overall superior site is the Eastgate Mall site, taking into account engineering, cost and environmental considerations. Studies performed for the EIR alone found that the environmentally superior site is the Carroll Canyon site. The Findings and Statement of Overriding Considerations concur with the Project Report that the Eastgate Mall site is the overall superior project site.

WU-CWP-91-109.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B050-393.)

MOTION BY HENDERSON TO CONTINUE ONE WEEK FOR FURTHER REVIEW BY THE CITY ATTORNEY TO SEEK GUIDANCE FROM THE COURT.
Second by Bernhardt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-208: (R-91-1212) CONTINUED TO FEBRUARY 11, 1991

Certifying that the information contained in Environmental Impact Report DEP-90-0225, in connection with the Otay Water Reclamation Project as described in the Project Report for Modification to the Metropolitan Sewerage System, Volume VII, Otay Valley Water Reclamation System, dated May 1990, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council; accepting the findings and recommendations, and adopting the Findings and Statement of Overriding Consideration.

(See City Manager Report CMR-91-47. Otay Mesa/Nestor, San Ysidro, Tia Juana River Valley Community Areas. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Otay Valley Water Reclamation project is one of six water reclamation projects proposed for the San Diego area under the Clean Water Program. The proposed project will provide 6 million gallons per day (mgd) of reclaimed water by the year 1996 and up to 12 mgd by the year 2008. Project components would include advanced wastewater treatment, pump stations, reclaimed water pipelines, storage facilities and sludge pipelines. The Project Report and its accompanying Environmental Impact Report (EIR) analyze two alternative sites in the Otay Valley: The Otay Valley Road West and Otay Valley Road East sites. Studies performed for the Project Report found that the overall superior site is the Otay Valley Road East site, taking into account engineering costs and environmental considerations. Studies performed for the EIR alone found that the environmentally superior site is the Otay Valley Road West site. The Findings and Statement of Overriding Considerations concur with the Project Report that the Otay Valley Road East site is the overall superior project site.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B050-393.)

MOTION BY HENDERSON TO CONTINUE ONE WEEK FOR FURTHER REVIEW BY THE CITY ATTORNEY TO SEEK GUIDANCE FROM THE COURT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-209: (R-91-1216) CONTINUED TO FEBRUARY 11, 1991

Certifying that the information contained in Environmental Impact Report DEP-90-0213, in connection with the Santee Water Reclamation Project as described in the Clean Water Program Project Report for Modification to the Metropolitan Sewerage System, Volume V, Santee Basin Water Reclamation System, dated May 1990, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council; accepting the findings and recommendations and adopting Findings and Statement of Overriding Consideration.

(See City Manager Report CMR-91-47. East Elliott
Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The Santee Basin Water Reclamation Project is one of six water reclamation projects proposed for the San Diego area under the Clean Water Program. The proposed project will provide 18-million gallons per day (mgd) of reclaimed water by the year 1997 and up to 24 mgd by the year 2009. Project components would include advanced wastewater treatment, pump stations, reclaimed water pipelines, storage facilities and sludge pipelines. The Project Report and its accompanying Environmental Impact Report (EIR) analyze three alternative sites in the Santee area: the Mast Boulevard, East Sycamore Canyon and West Sycamore Canyon sites. Studies performed for the Project Report found that the overall superior site is the East Sycamore Canyon site, taking into account engineering, cost and environmental considerations. Studies performed for the EIR found the same site as the environmentally superior site.

WU-CWP-91-111.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B050-393.)

MOTION BY HENDERSON TO CONTINUE ONE WEEK FOR FURTHER REVIEW BY THE CITY ATTORNEY TO SEEK GUIDANCE FROM THE COURT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-210:

(R-91-) CONTINUED TO FEBRUARY 11, 1991

Proposal to adopt amendments to the following community plans based on the final site selections pertaining to the location of water reclamation facilities and to consider the adoption of amendments to the Progress Guide and General Plan and associated Local Coastal Program (LCP) Plans.

- 1) An amendment to the Ocean Beach Precise Plan and Local Coastal Program Addendum and Mission Bay Park Master Plan relating to the North City Water Reclamation Project - San Diego River Excess

Reclaimed Water Ocean Outfall for construction of a reclaimed water pipeline along the Flood Channel and an ocean outfall approximately 7,000 feet offshore into the Pacific Ocean.

- 2) Amendments to the University and Mira Mesa Community Plans relating to the North City Water Reclamation Project for water reclamation facility candidate sites at:

Eastgate Mall - 37.5 acres located directly west of I-805, between Miramar Road and extending approximately 400 feet north of Eastgate Mall Road (University Community Plan area);

Eastgate Technology Park - 60.4 acres located immediately west of I-805 and north of Eastgate Mall Road (University Community Plan area);

or,

Carroll Canyon - 41 acres located northwest of the intersection of Fenton Road and Camino Santa Fe (Mira Mesa Community Plan area).

- 3) Amendments to the Mission Valley, Navajo and Tierrasanta Community Plans relating to the Mission Valley Water Reclamation Project for water reclamation facility candidate sites at:

Del Rio North - 18 acres located immediately north of I-8, east of Mission City Parkway/Milly Way and is transected by Camino del Rio North. The site is currently occupied by the City of San Diego Aquaculture Facility (Mission Valley Community Plan area).

Admiral Baker Field - 9.5 acres on the north side of the San Diego River and southwest of Tierrasanta Boulevard (Tierrasanta Community Plan area).

Mission Gorge No. 1 - 39 acres located between Mission Gorge Road and the San Diego River, approximately 0.25 miles north of Old Cliff/Mission Gorge Roads (Navajo Community Plan area).

Mission Gorge No. 2 - 24 acres located between Mission Gorge Road and the San Diego River, immediately west of the proposed extension of Tierrasanta Boulevard (Navajo Community Plan area).

- 4) Amendments to the Progress Guide and General Plan, East Elliott Community Plan and associated Local Coastal Program (LCP) relating to the Santee Basin Water Reclamation Project for water reclamation plant candidate sites at:

West Sycamore Canyon - 56 acres located within the easterly boundaries of the Miramar Naval Air Station (Progress Guide and General Plan);

or,

Mast Boulevard - 44 acres located near the intersection of Mission Gorge Road and Mast Boulevard (East Elliott Community Plan area).

Specific proposed amendments also constitute an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendments must be submitted to the California Coastal Commission for review and final approval.

Adoption of a Resolution approving the community plan, Progress Guide and General Plan and LCP amendments.

NOTE: See Items 206, 207, 208, and 209 for companion items.

FILE LOCATION: LAND

COUNCIL ACTION: (Tape location: B384-393.)

MOTION BY HENDERSON TO CONTINUE ONE WEEK FOR FURTHER REVIEW ALONG WITH COMPANION ITEMS. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-S400:

Three actions relative to painting the Museum of Man
Rotunda: (BID-K1065/90)

Subitem-A: (R-91-1085) ADOPTED AS RESOLUTION R-277311

Rejecting all bids received on December 21, 1989,
pursuant to publication of notice calling for bids on
the Painting Museum of Man Rotunda.

Subitem-B: (R-91-1087) CONTINUED TO FEBRUARY 19, 1991

Authorizing the City Manager to declare that W.E.
Walters and Sons to be a non-responsive contractor;
directing the Purchasing Agent to not consider any
future bids submitted by the company for a period of
three years; directing the City Attorney to take the
necessary actions to recover costs associated with the
termination in accordance with the contract agreement.

Subitem-C: (R-91-1086) ADOPTED AS RESOLUTION R-277312

Authorizing the use of City Forces to paint the Museum
of Man Rotunda, pursuant to the recommendation of the
City Manager and submission of estimates indicating
that the work can be done by City Forces more
economically than if let by contract; declaring that
the cost of said work shall not exceed \$35,000;
authorizing the expenditure of an amount not to exceed
\$90,000 from Fund 102242, Balboa Park Improvement
Projects, for the project and related costs;

Authorizing the Auditor and Comptroller, upon advice
from the administering department, to return excess
budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION: This project can only be
performed during the time window between January 28 and March 19,
when the Museum has no displays scheduled in the rotunda area.
Last year W.E. Walters, the low acceptable bidder, was unable to
furnish the required bonds and insurance in time to complete the
project within the allotted time, so the project was held over.
The Purchasing Agent contacted W.E. Walters and Sons, Inc. last
month to determine if they would be willing to perform the
project this year at their original bid price. They agreed.
While contract documents were being prepared for mailing to
Walters for execution, the Purchasing Agent became aware of a
serious problem with another project, Quince Street Bridge, on
which Walters was the major subcontractor. The Bridge, which was

being renovated, is an historic wood trestle pedestrian bridge. City field inspection personnel discovered that W.E. Walters and Sons, Inc. was using a lower grade of wood in the load-bearing members of the bridge than specified. Furthermore, they apparently falsified the certificate of quality from San Diego Wood Preserving Company. We have on file an affidavit from San Diego Wood Preserving Company certifying that the Certificate of Quality provided to the City is not the same certificate which they had issued. We therefore recommend that W.E. Walters and Sons be debarred from bidding on City projects for three years. Walters has been informed by letter of this recommendation and apprised of their right to be heard by Council. In order not to delay this project another year, the City Manager recommends that the work be accomplished using City Forces. The estimated cost of City labor is \$35,000.

Aud. Cert. 9000496.

FILE LOCATION: CONT - W.O. 069033; CITY FORCES

COUNCIL ACTION: (Tape location: A610-B025.)

MOTION BY BERNHARDT TO ADOPT SUBITEMS-A AND C AND TO CONTINUE SUBITEM-B FOR TWO WEEKS AS REQUESTED BY THE CITY MANAGER. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-S401: (R-91-1255) ADOPTED AS RESOLUTION R-277313

Approving the recommendations set forth in Planning Department Report PDR-91-016, dated January 17, 1991, and approved by the Rules Committee on January 23, 1991, to change the name of the North City West Community to Carmel Valley Community.

(See Planning Department Report PDR-91-016.
District-1.)

COMMITTEE ACTION: Reviewed by RULES on 1/23/91. Recommendation to approve the Planning Director's recommendation for a name change from North City West Community to Carmel Valley Community. Districts 1, 5, 7 and Mayor voted yea. Districts 4 and 8 not present.

FILE LOCATION: LAND - North City West Community and Carmel
Valley Community Plans

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-S402: (R-91-1264) ADOPTED AS RESOLUTION R-277314

A Resolution approved by the City Council in Closed
Session on Tuesday, January 15, 1991 by the following
vote: Wolfsheimer-nay; Roberts-not present;
Hartley-yea; Pratt-yea; Bernhardt-yea; Henderson-yea;
McCarty-not present; Filner-nay; Mayor-yea.

Authorizing the City Manager to pay the total sum of
\$40,000 in the settlement of each and every claim
against the City, its agents and employees, resulting
from the City Planning Department's 4/11/88 Notice of
Violation to William A. Clark and Patricia Clark
requiring them to cease commercial auto repair at 3085
Madison Avenue, San Diego, (Superior Court Case No.
624376, William A. Clark and Patricia Clark v. City of
San Diego, et al.); authorizing the City Auditor and
Comptroller to issue one check in the amount of \$40,000
made payable to William A. and Patricia Clark and
Pedersen & McKnight, their attorneys of record, in full
settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the
complete and final settlement of the property damage claims of
William and Patricia Clark against the City of San Diego as a
result of incidents on April 24, 1989 and August 23, 1989.

Aud. Cert. 9100575.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-372.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER

Comments by Dr. Howard A. Mickel regarding suggestions
for welcoming home the men and women serving in the
Persian Gulf.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C486-540.)

ADJOURNMENT:

By common consent, Mayor O'Connor adjourned the meeting
at 4:35 p.m. in honor of the memory of Ian Krebs and
Richard W. "Dick" Tuller.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C464-485).